

Office of the Warden

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ROBERT H. EGOLF
WARDEN

EARL F. REITZ
DEPUTY WARDEN - SECURITY

HERBERT K. MOTTER
DEPUTY WARDEN - TREATMENT

JANET M. KREIDER-SCOTT
DEPUTY WARDEN - OPERATIONS



TELEPHONE
AREA CODE 717-249-1620
FAX 717-245-8792

CUMBERLAND COUNTY PRISON

1101 CLAREMONT ROAD
CARLISLE, PA 17013

July 26, 1994

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street NW

WASHINGTON, D. C. 20554

RE.: CC DOCKET NO. 92-77 OPPOSITION TO BILLED PARTY PREFERENCE

Dear Chairman Hundt:

We are opposed to the application of Billed Party Preference (BPP) at Inmate Facilities.

We have analyzed the security and administration needs at our Facility and have found it to be necessary to route inmate calls from our Facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.


We have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of inmate phone service providers. BPP would also eliminate the revenue stream that finances our inmate phones. If BPP is applied to Inmate Facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for our Staff to manage inmates.

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Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Facility Administrators do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Facility Administrators enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Facility Administrators are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our Facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our Staff. We urge you to not adopt regulations that interfere with our administrative and security decisions -- decisions that are clearly within our direction and which we have a public responsibility to make.

Respectfully Submitted,


ROBERT H. EGOLF, WARDEN
Cumberland County Prison
1101 Claremont Road
CARLISLE, PA 17913

RHE/st

cc: The Honorable James H. Quello
The Honorable Andrew C. Barrett
The Honorable Rachelle B. Chong
The Honorable Susan Ness

THE PANTRY, INC.



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July 5, 1994

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, NW - Room 814
Washington, D.C. 20554

P.O. BOX 1410, 1801 DOUGLAS DRIVE
SANFORD, NORTH CAROLINA 27331-1410
PHONE (919) 774-6700
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(919) 774-3329

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Re: Billed Party Preference/CC Docket No. 92-77

Dear Chairman Hundt:

The Pantry, Inc. is a convenience store chain operating over four hundred locations in five states. As site owner, we currently contract with the Local Exchange Carrier (LEC's) or private owners to provide eight hundred and fifty public payphones to our customers. Our office is responsible for overseeing the operation of telecommunications facilities and services for The Pantry, Inc., including pay telephone and other telephone systems located at our facilities.

We are writing to express our opposition to your agency's proposal to implement the costly Billed Party Preference ("BPP") regime throughout the telephone network. BPP will drastically alter our ability to continue to provide the public with quality telecommunications service.

The FCC's Further Notice of Proposed Rulemaking for BPP short-sightedly assumes that the revenue sharing arrangements between providers of public communications services and operator services providers ("OSP") are unnecessary costs that do not benefit the public. Nothing could be further from the truth. The commission revenue we receive ultimately justifies our investment in space and maintenance to provide phone service to the public. BPP will cut off this critical source of funding. Without this necessary revenue stream, we simply could not afford to provide the public with the same level of calling opportunities that we currently provide. We are concerned that your staff has apparently overlooked this important and fundamental dynamic of the public communications industry.

Further, we require all of our payphone providers to be in compliance with the Telephone Operator Consumer Services Improvement Act of 1990 ("TOCSIA") to allow callers to access the carrier of their choice, and have spent substantial effort to assure that the consumer benefits of TOCSIA are fulfilled. BPP is clearly a redundant and unnecessary federal response to a problem that has already been effectively resolved.

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The Honorable Reed E. Hundt
July 7, 1994
Page 2

Indeed, BPP will impose new and unnecessary costs and inconvenience for consumers. BPP will cost billions to implement and will have continuing costs that consumers must ultimately bear. In addition, consumers will be faced with longer call set up times and will need to repeat billing information to two operators on some calls. In short, it is questionable what, if any, benefits consumers will see from BPP.

Moreover, it does not appear that the Commission has sufficiently addressed the high risk for increased fraud that will occur with BPP. Clearly, there are numerous LEC's, particularly those in rural areas that cannot afford to implement the enhanced screening features necessary to prevent fraud under BPP. Smaller long distance companies may likewise lack the ability to prevent the new opportunities for fraud that BPP will bring.

Competition and innovation will also be eliminated by BPP. Prior to competition from independent payphones and operator service providers the LEC's were the monopoly providers of public communications. Competition has brought new service options, greater responsiveness to our needs and fair commission structures. BPP will restore the LECs' bottleneck control over the initiation and routing of 0+ calls and enable them to further their own objectives at our expense.

Finally, like any other business, we are concerned about the rates charged to consumers, as such, we require our payphone providers and OSPs to only charge competitive rates. To the extent that the Commission feels certain consumers need additional protection, it would seem that the better alternative to BPP would be to establish and enforce reasonable rate ceilings.

Although on its face Billed Party Preference seems appealing, it suffers from numerous flaws. We respectfully ask the Commission to reject its Billed Party Preference proposal.

Thank you for your time and consideration.

Sincerely,



Terry L. Lehman
Senior Vice President - Operations

cc: The Honorable James H. Quello
The Honorable Andrew C. Barrett
✓The Honorable Rachelle B. Chong
The Honorable Susan Ness



DEPARTMENT OF CORRECTIONS

OFFICE OF THE SECRETARY

115 East Dakota Avenue
Pierre, SD 57501-3216
Phone: (605) 773-3478
Fax: (605) 773-3194

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July 26, 1994

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY**

THE HONORABLE REED E HUNT CHAIRMAN
FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET NW
WASHINGTON D C 20554

RE: FCC Docket No. 92-77 Opposition to Billed Party Preference

Dear Chairman Hunt:

The South Dakota Department of Corrections, representing the South Dakota State Penitentiary in Sioux Falls and the Springfield Correctional Facility in Springfield, strongly oppose the application of billed party preference to inmate facilities.

The administration of our inmate telephone systems through a single carrier under contract provides us with many advantages that would not be available with multiple carriers selected by the inmates.

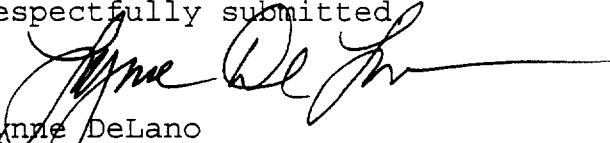
- 1) The carrier provides all the equipment and maintains it. The department would be unable to provide this equipment without their assistance. Lack of access by the inmates would increase tension in the institution.
- 2) This equipment prevents fraud, abusive calls and other criminal activity. It provides the ability to limit phone calls and lockout abilities in emergencies. It provides recording options for investigations and institutional security.
- 3) The revenues provided by this program are utilized to benefit inmate programs. These would not be replaced with state funding, further increasing inmate tension.

We are sensitive to the rates paid by the families and friends of the inmates. We try to negotiate rates that are not abusive to the inmate families. An alternative to billed party preference may be establishing a ceiling on allowable rates that can be charged.

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It is the SDDOC's contention that the current arrangements serve the state, taxpayers, families and friends of inmates and the inmates themselves well. The loss of this option would be extremely detrimental. **Therefore, the SDDOC urges you not to adopt regulations that would negatively affect the administrative security of our correctional institutions.**

Respectfully submitted,



Lynne DeLano
Secretary

cc: The Honorable Senator Larry Pressler
The Honorable Senator Thomas Daschle
The Honorable Representative Tim Johnson
The Honorable James H. Quello
The Honorable Rachelle B. Chong
The Honorable Andrew C. Barrett
The Honorable Susan Ness
Warden Joe Class, State Penitentiary
Warden Jim Smith, Springfield Correctional Facility



Atlantic County

Department of Public Safety

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Richard E. Squires
County Executive

Glenn English
Department Head

609/645-5881 FAX: 645-5905
TDD: 348-5551

July 22, 1994

Division of Adult Detention
609/645-5855 FAX: 645-5879

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AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 220554

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Chairman Hundt:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration need at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

We have also found it necessary to install phone equipment specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of inmate phone service providers. BPP would also eliminate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for our staff to manage inmates.

Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern some

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5060 Atlantic Avenue • Mays Landing, New Jersey 08330

Atlantic County is an Equal Opportunity Employer



July 22, 1994

Page 2.


Re: CC Docket No. 92-77

Opposition to Billed Party Preference

Correctional Facilities or jails do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let the Wardens enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Wardens are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions--decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,


Frank Mazzone, Warden/Division Director
Atlantic County Department of Public Safety
5060 Atlantic Avenue
Mays Landing, New Jersey 08330

Sheriff's Office

Floyd County Virginia

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C. T. HIGGINS
SHERIFF

DONNIE L. PRATT
CHIEF DEPUTY

100 EAST MAIN STREET
ROOM 206
FLOYD, VIRGINIA 24091
(703) 745-9334

JERRY L. YOPP
CHIEF INVESTIGATOR

TROY W. WOOLLUMS
CHIEF CORRECTIONAL OFFICER

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AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

July 25, 1994

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

Re: CC Docket No. 92-77 opposition to Billed Party Preference

Dear Chairman Hundt:

We are opposed to the application of Billed Part Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

We have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of inmate phone service providers. BPP would also eliminate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for our staff to manage inmates.

Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates.

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We do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decision--decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,

C. T. Higgins

C. T. Higgins
Sheriff, Floyd County

cc: The Honorable James Quella
The Honorable Rachelle B. Chong
The Honorable Andrew C. Barrett
The Honorable Susan Ness
APCC Inmate Phone Service Providers Task Force

Michelle B. Mitchell, Sheriff
Richmond City Jail



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1701 Fairfield Way
Richmond, Virginia 23223

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AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

July 25, 1994

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

Re: CC Docket No 92-77 Opposition to Billed Party Preference

Dear Chairman Hundt:

After analyzing the security and administrative needs of our facility, we have found it necessary to route inmate calls through a single carrier. This carrier is equipped to handle inmate calls and a firm with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. Billed Party Preference (BPP) will take away our right to coordinate inmate calls through a carrier we know can provide the levels of security required by a correctional facility. Instead, inmate calls would be routed through any number of carriers, none of whom would be obligated to us, and few trained or equipped to handle inmate calls.

We have also found it necessary to install phone equipment that is specifically designed to handle inmate calls. This equipment helps enforce court restraining orders, prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints we are under, we cannot afford to provide inmate telephone equipment without the help of our inmate phone service providers. BPP would also eliminate the revenue stream that finances our inmate phones. With BPP applied to inmate facilities, there will be no way for us to finance these phones, nor will there be any inmate phone service providers to assist us. Please try to imagine the dangerous conditions which would exist in our facility with **1,500 inmates** who do not have access to telephones. **The explosiveness of this situation is beyond description.**

While some Sheriff's do not take responsibility for protecting inmate families from abusive rates, I can not be counted among them. Our current contract, at my insistence, specifically caps these rates for the sole purpose of protecting the families of inmates. BPP is not the solution for this lack of responsibility by a few. Rate ceilings do work and are the correct vehicle for fair and reasonable rates.

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In short, BPP would take away our ability to employ important security and administrative measures which we find necessary at our facility and would drastically reduce inmate phone availability. I urge you to **REJECT** regulations which interfere with our administrative and security decisions. Decisions, for which I have a public responsibility to make.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michelle B. Mitchell".

Michelle B. Mitchell
Sheriff

cc: The Honorable James H. Quello
The Honorable Andrew C. Barrett
The Honorable Rachelle B. Chong
The Honorable Susan Ness



SHERIFF-CORONER DEPARTMENT
COUNTY OF ORANGE
CALIFORNIA

BRAD GATES
SHERIFF-CORONER

SERVING THE UNINCORPORATED AREAS
OF ORANGE COUNTY AND THE CITIES OF:

DANA POINT
LAGUNA HILLS
LAGUNA NIGUEL
LAKE FOREST
MISSION VIEJO

SAN CLEMENTE
SAN JUAN CAPISTRANO
STANTON
VILLA PARK

OFFICE OF SHERIFF-CORONER

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RAUL RAMOS
UNDERSHERIFF

ASSISTANT SHERIFFS
WALTER FATH
JOHN HEWITT
JERRY KRANS
DENNIS LADUCER

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

July 22, 1994

The Honorable Reed E. Hundt
Federal Communication Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: Billed Party Preference (BPP); CC Docket Number 92-77

Dear Commissioner Hundt:

I have recently been informed the Federal Communications Commission (FCC) is considering a proposal called "Billed Party Preference" (BPP), to change the method by which long distance telephone companies are related to operator assisted calls, including collect calls from jails.

As the Sheriff of Orange County, California, I strongly request that the FCC very carefully listen to not only my concerns, but also the very real concerns of all the elected Sheriffs and law enforcement agencies and the Department of Corrections within the State of California.

I am charged with the welfare of over 5,000 inmates within our five jail facilities. I am mandated by law to provide programs such as: parenting education, adult education, GED certifications, English as a second language, literacy training, job training, substance abuse, family counseling, recreational facilities and equipment, religious services, chaplains and many more. I have no avenue of funding other than profits from our inmate commissary and the telephone revenues. The telephone revenues account for over 65% of the total revenues in our Inmate Welfare Fund. Any reduction to the revenue received from our current inmate telephone provider will have a dramatic impact on all of our state and federally mandated inmate programs. We need to increase successful programs, not eliminate them.

Our current system is fair, not only to our inmates, but also to their families. We are under contract with our current telephone provider for the next year and a half. As we draw

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The Honorable Reed E. Hundt
July 22, 1994
Page 2

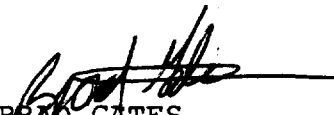
near the end of this contract, we are receiving proposals which validate that our current system is most likely the best. Although other providers currently offer potentially higher revenue to our Inmate Welfare Fund, it appears to be at the expense of our inmates and their families due to higher cost of service. There is also a serious question regarding the ability of a new provider to maintain the high level of service and repair we currently enjoy. I mention this only to caution you as to what may potentially be the outcome of "BPP" within jail systems. The proponents of "BPP" don't guarantee better rates, revenue sharing, or better service.

Our current system also provides us the necessary safeguards to reduce fraud and to protect victims and witnesses from intimidating inmate contact.

The Orange County Jail System is overcrowded. We currently need over 3,500 additional beds with a projected need of another 3,500 inmate beds by the year 2006. It is becoming increasingly difficult to meet the mandated requirements of operating a jail system as inmate population grows. Further federal restrictions unnecessarily complicates facing these challenges.

I encourage you and the Commission to very carefully weigh the impacts your decisions may have on local detention facilities, not only in the State of California but across the nation.

Sincerely,



BRAD GATES
Sheriff-Coroner

cc: The Honorable James H. Quello
The Honorable Andrew C. Barrett
The Honorable Rachelle B. Chong
The Honorable Susan Ness

BG:pl



Dona Ana County

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180 West Amador Avenue • Las Cruces, New Mexico 88001-1202 • (505) 525-6600

July 22, 1994

The Honorable Reed E. Hundt
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

RE: Billed Party Preference; CC Docket No. 92.77

Honorable Chairman Hundt:

Doña Ana County Detention Center in Las Cruces, New Mexico is opposed to the application of Billed Party Preference (BPP) at this facility. The rationale for having assumed this position is three fold.

First is the aspect of security. Prisoners should not be allowed to have indiscriminate access to a telephone communication network. Abusive telephone calls, fraud and other criminal activity will occur if telephone communications are not controlled.

Second is the aspect of revenue. The single provider telephone system provides for revenue that is returned to the jail population. Items such as cable television, television sets, weight and recreation equipment are provided using the telephone system as revenue. Should this revenue be unavailable, the burden of providing these items falls back on the public. In reality, the cost should be paid for by the individuals that are being incarcerated.

The third concern pertains to the cost of providing for the inmate telephone system. When the revenues for an inmate telephone system deteriorate to the point that it no longer is profitable for the telephone system provider, then the cost of providing for such a system will rest with the public.

BPP is not the answer. Detention Centers need control of inmate telephone systems that are provided and maintained by those companies that have expertise with these systems. The inmate telephone system is an important part of the inmate life. BPP would severely inhibit the inmate's access to a telephone, it would develop an unnecessary administrative load on the facility and would degrade the security that is necessary in detention centers.

I urge you to not adopt legislation that would add to the burden of our operation and interfere with the day-to-day administration of detention centers that are already tasked to the limit in providing niceties to the inmate population.

Respectfully,

A handwritten signature in black ink, appearing to read "Frank A. Steele". The signature is stylized with large, flowing loops and a prominent "F".

Frank A. Steele
Detention Administrator
DACDC

FAS/pl

cc:

Honorable James H. Quello
Honorable Rachelle B. Chong
Honorable Andrew C. Barrett
Honorable Susan Ness
APCC Inmate Phone Service Providers Task Force

July 25, 1994

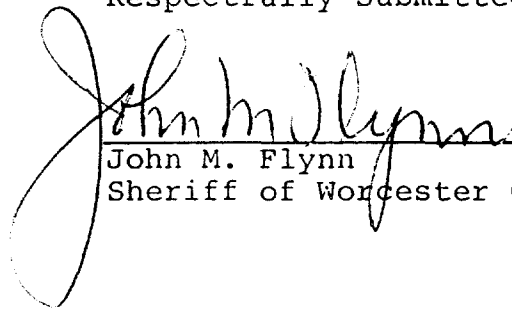
The Honorable Reed E. Hundt, Chairman

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions -- decisions that are clearly within our discretion and which we have a public responsibility to make.

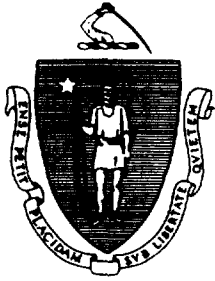
Respectfully Submitted,

A handwritten signature in cursive script, reading "John M. Flynn". The signature is written over a horizontal line.

John M. Flynn
Sheriff of Worcester County

JMF/ro

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JOHN M. FLYNN
SHERIFF
SUPERINTENDENT

Commonwealth of Massachusetts
Office of the
Sheriff of Worcester County

West Boylston, Massachusetts 01583
Telephone (508) 854-1800 • FAX (508) 856-0465



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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

July 25, 1994

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

RE: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Chairman Hundt:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

We have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of inmate phone service providers. BPP would also eliminate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for our staff to manage inmates.

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STATE OF KANSAS
JOAN FINNEY, GOVERNOR



SOCIAL AND
REHABILITATION SERVICES
DOCKING STATE OFFICE BLDG.
TOPEKA, KANSAS 66612-1570
DONNA WHITEMAN, SECRETARY

YOUTH CENTER AT BELOIT

1720 NORTH HERSEY (BOX 427)
BELOIT, KANSAS 67420-0427
DENIS J. SHUMATE, SUPT.
(913) 738-5735
(913) 738-3314 (FAX)
KANSAS-N 544-0110

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

RE: Billed Party Preference, CC Docket No. 92-77

Dear Honorable Hundt:

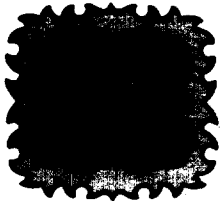
I am writing on behalf of the Youth Center at Beloit, a juvenile correctional program, in the state of Kansas.

The five youth-serving agencies in Kansas installed a youth phone system approximately one year ago that is similar to the inmate phone systems that are provided for a large number of adult facilities throughout the United States. The state of Kansas issued a request for proposal in the spring of 1993 with five companies submitting proposals. Executone based in Oakdale, California, was selected as the successful vendor because their proposal came the closest to meeting the requirements specified in the RFP.

The state of Kansas went to this type of system in the youth facilities because of a long history of problems involving youth involved in gang activity, fraud, planning of escapes, extortion, and a variety of other problems. The installation of the youth phone system was viewed as the way to gain control of these problems and still provide youth access to their families and others approved for telephone contact.

This is to advise you that we are opposed to the enactment of Billed Party Preference as it would eliminate our ability to provide youth telephone service.

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GOLD COAST

4000 WEST FLAMINGO ROAD
LAS VEGAS, NEVADA 89103
TELEPHONE (702) 367-7111
TOLL FREE (800) 331-5334

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July 21, 1994

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M. street, NW - Room 814
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Re: Billed Party Preference/CC Docket No. 92-77

Dear Chairman Hundt:

We are writing to express our opposition to your agency's proposal to implement the costly Billed Party Preference (BPP) regime throughout the telephone network. Nevada is customer service conscious and BPP will drastically alter our ability to continue to provide our customers with quality telecommunications service.

The F.C.C.'s further Notice of Proposed Rulemaking for BPP short-sightedly assumes that the revenue sharing arrangements between providers of public communications services and operator service providers (OSP) are unnecessary costs that do not benefit the public. Nothing could be further from the truth. The commission revenue we receive ultimately justifies our investment in space, equipment and maintenance to provide phone service to the public. BPP will cut off this critical source of funding. Without this necessary revenue stream, we simply could not afford to provide the public with the same level of calling opportunities that we currently provide. We are concerned that your staff has apparently overlooked this important and fundamental dynamic of the public communications industry.

Further, all of our phones are programmed to be in compliance with the Telephone Operator Consumer Services Improvement Act of 1990 (TOCSIA) to allow callers to access the carriers of their choice. We support the proposition that the calling party should be able to access the carrier of their choice and have spent substantial financial resources to see that the consumer benefits of TOCSIA are fulfilled. BPP is clearly a redundant and unnecessary federal response to a problem that has already been resolved.

BPP will impose new and unnecessary costs and inconvenience for consumers. BPP will cost billions to implement and will have continuing costs that consumers must ultimately bear. In addition, consumers will be faced with longer call set up times and will need to repeat billing information to two operators on some calls. In short, it is questionable what, if any, benefits consumers will see from BPP.

Moreover, it does not appear that the Commission has sufficiently addressed the high risk for increased fraud that will occur with BPP. Clearly, there are numerous local exchange carriers (LEC), particularly those in rural areas where many prisons and jails reside, that cannot afford to implement the enhanced screening features necessary to prevent fraud under BPP. Smaller long distance companies may likewise lack the ability to prevent the new opportunities for fraud that BPP will bring.

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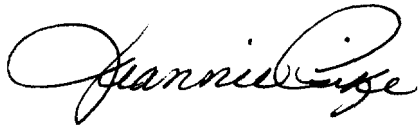
Competition and innovation will also be eliminated by BPP. Prior to competition from independent payphones and operator service providers the LEC's were the monopoly providers of public communications. Competition has brought new service options, greater responsiveness to our needs and fair commission structures.

Finally, like any other business, we are concerned about the rates charged to consumers. As such, we require our payphone providers and OSP's to charge competitive rates only. To the extent that the Commission feels certain consumers need additional protection, it would seem that the better alternative to BPP would be to establish and enforce reasonable rate ceilings.

Although on it's face Billed Party Preference seems appealing, it suffers from numerous flaws. We respectfully ask the Commission to reject it's Billed Party Preference proposal.

Thank you for you consideration in this matter.

Respectfully submitted,

A handwritten signature in cursive script, reading "Jannie Rize". The signature is written in black ink and is positioned below the "Respectfully submitted," text.

cc: The Honorable James H. Quello
The Honorable Andrew C. Barrett
The Honorable Rachelle B. Chong
The Honorable Susan Ness



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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

July 21, 1994

The Honorable Andrew C. Barrett
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

RE: Billed Party Preference; CC Docket No. 92-77

Dear Commissioner Barrett,

It has come to my attention that the FCC is considering the implementation of a "billed party preference" for 0+interLATA payphone traffic and for other types of operator-assisted interLATA traffic. If BPP is implemented, Inmate Phone Systems, as we know them today, will cease to exist.

The Denton County Sheriff's Department is strenuously opposed to BPP for inmate phone systems, the most important reason being the control over the calls generated by over 850 inmates in this correctional facility. This Administration is firmly committed to protecting law-abiding citizens' and especially victims' rights, and the phone system we currently have in use allows us to effectively control and practically eliminate call abuse and fraud by the inmates.

Inmate call abuse and fraud is a very real problem for the victims of crimes, judges, witnesses, and other elected officials, as well as the family, friends, and acquaintances of some of the inmates who do not wish to be harassed. A regular phone service will not be able to provide the immediate assistance that our specialized inmate phone service provides to eliminate these kinds of problems. Furthermore, these special requests will cost a great deal more from a regular service.

In addition to losing the ability to effectively control inmate calls, in these hard economic times our budget could not be expanded to include a regular phone service with the necessary equipment and manpower that would permit the supervision of inmate calls without cutting other budgetary items vital to operating our jail. Also, implementing BPP would eliminate the revenue-generating agreements that we have with the inmate phone services; revenue that augments our budget and enables us to provide important educational and rehabilitation programs for the inmates. Obviously, the adverse financial impact of having BPP would severely handicap inmate programs and jail operations.

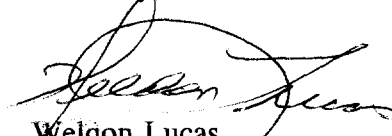
We share the concern for providing reasonable rates for inmate phone service. Our

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existing contract specifies that the inmates pay no more than the standard GTE and AT&T rates. Billed Party Preference is not the answer to controlling phone costs; specifying "equivalent" rates in the bid package guarantees the inmates pay no more than anyone else for like service.

The disadvantages of BPP far outweigh the rate control this program would allegedly offer. Aside from the tremendous negative budgetary impact, the protection of private citizens from harassing phone calls and telephone fraud is at stake with the implementation of BPP. We vigorously oppose this program, and fervently hope that it is not implemented.

Sincerely,



Weldon Lucas
Sheriff, Denton County

WGL/hm

August 1, 1994

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

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AUG 1 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Chairman Hundt:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

We have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of inmate phone service providers. BPP would also eliminate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for our staff to manage inmates.

Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions -- decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,

Billy McGee, Sheriff
Name/Title

Janett Co. Regional Jail
Name of Correctional Facility

316 Janett St
Address

H'bus, MS 39401

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DONALD B. VAELLO
12000 CROWN POINT DRIVE
SAN ANTONIO, TEXAS 78233

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July 20, 1994

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Andrew Barrett
Federal Communications Commission
1919 M Street NW
Washington DC 20554

Dear Representative Barrett:

As both an employee in the communications industry and a tax paying citizen, I am stating my strong **opposition** to *Billed Party Preference (BPP)* for 0+ Calls. Further, I respectfully request your support in ensuring that Communications Commission Docket 92-77 is defeated.

Confinement facilities are unique and, as such, they require specialized phone system equipment. These systems permit a facility to block an inmate's call to specific numbers, block undesired inbound calls, prevent three-way calling and, overall, reduce fraud and other criminal activity. All of these capabilities are inherent in the equipment which means that, for the most part, intervention by administrative personnel is not required and that the maintenance of security is not jeopardized.

A highly competitive market dictates that the technically sophisticated equipment be installed at little or no cost to the facility and that the provider's commissions be paid to the facility. The commissions facilities receive are a major source of revenue for the inmate welfare funds which finance inmate programs such as family visitation, education and rehabilitation programs. Thus, many of the positive aspects of incarceration are actually being paid for by the inmates.

Succinctly put, most, if not all, of the positive factors derived from the current way of doing business will be discarded if Billed Party Preference becomes a reality. The industry would be going back to the period prior to 1987 when few correctional facilities in the country were paid commissions and many had to pay for their inmate phone service. From a financial point of view, it could be a disaster. Local telephone and long distance companies would no longer have to pay commissions because there would be no competition. Without commissions, facilities would have to turn to their governing body and taxpayers and compete for already scarce resources. Inmate morale funding would be decreased and attended by an increase in inmate control problems. Who would pay for the inmate phone equipment necessary to control calls and prevent fraud and abuse? Again, facilities would have to turn to government sources. Cutting existing programs or increasing taxes would be the requirement to balance budgets. With inmate populations growing at rates estimated from 10 to 15 percent per year, inmate populations could increase by 40 percent by the end of the century. This, of course, will mandate an increase in the number of facilities and manpower to administer them. More inmates and facilities will necessitate more non-revenue producing inmate phone systems if BPP were approved for correctional facilities.

I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely,



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